

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:22-cv-68-MOC-WCM**

MELVIN RICHARD ROBINSON, III,)
)
 Plaintiff, pro se,)
)
 vs.)
)
)
)
 HENDERSON COUNTY HOSPITAL)
 CORPORATION, d/b/a PARDEE,)
 SOUTHEASTERN SPORTS MEDICINE,)
)
 Defendants.)
 _____)

ORDER

THIS MATTER is before the Court on pro se Plaintiff's Motion to Proceed in Forma Pauperis and on initial review under 28 U.S.C. § 1915. (Doc. No. 2).

Pro se Plaintiff Melvin Richard Robinson, III filed this action on March 25, 2022, naming as Defendants Henderson County Hospital Corporation and Southeastern Sports Medicine Services, PLLC, alleging, among other things, state law claims against Defendants for medical negligence and breach of contract.

First, as to Plaintiff's motion to proceed in forma pauperis, the Court grants the motion.

Next, this action will be dismissed on initial review under 28 U.S.C. § 1915. Although the some of the legal claims differ, this action is clearly duplicative of Plaintiff's prior action that this Court very recently dismissed on the merits and with prejudice. See Robinson v. Pardee Hospital, 1:20cv372 (W.D.N.C. 2022). In short, Plaintiff is attempting to get a second bite at the apple, which he may not do. Cottle v. Bell, No. 00-6367, 2000 WL 1144623, at *1 (4th Cir. 2000) (per curiam) ("Because district courts are not required to entertain duplicative or

redundant lawsuits, they may dismiss such suits as frivolous pursuant to [section] 1915(e).”).

Thus, this action is dismissed without prejudice.

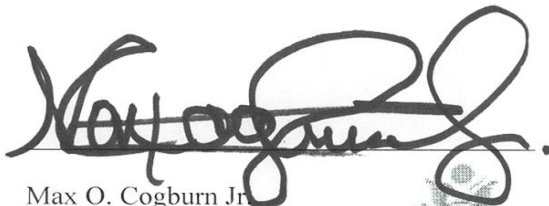
The Court notes that Plaintiff is a frequent filer of meritless lawsuits in this Court. The Court hereby warns Plaintiff that if he continues to file duplicative or meritless lawsuits such as this one, the Court may enter a pre-filing injunction against Plaintiff, preventing Plaintiff from filing additional lawsuits in this Court without first obtaining permission from the Court. The Court may order Plaintiff to pay monetary sanctions if he continues in this course of vexatious and frivolous filings.

IT IS THEREFORE ORDERED that:

- (1) Plaintiff’s Motion to Proceed in Forma Pauperis, (Doc. No. 2), is **GRANTED**.
- (2) This action is **DISMISSED** without prejudice as duplicative of another action Plaintiff has already filed in this Court.

IT IS SO ORDERED.

Signed: April 25, 2022


Max O. Cogburn Jr.
United States District Judge